

mended, and suggested in the labeling, since the directions provided for the consumption of an excessive and dangerous amount of sodium bromide.

On November 20, 1944, pleas of guilty having been entered on behalf of the defendants, the court imposed a fine of \$250 on the corporate defendant. The individual defendant was sentenced to 6 months' imprisonment and fined \$250. Execution of the prison sentence was suspended, and the individual defendant was placed on probation for 1 year.

**1403. Misbranding of Lax Laxative and Thyroid Tablets. U. S. v. 49 Envelopes of Lax Laxative and Thyroid Tablets (and 3 other seizure actions against the same product). Default decrees of condemnation and destruction.** (F. D. C. Nos. 12669, 13067, 13179, 13831. Sample Nos. 64068-F, 68126-F, 68501-F, 68502-F, 79014-F, 79019-F.)

Between June 13 and September 28, 1944, the United States attorneys for the Eastern District of Michigan, the Northern and Southern Districts of Ohio, and the Middle District of North Carolina filed libels against the following quantities of the above-named product: 49 envelopes at Detroit, Mich., 49 envelopes at New Philadelphia, Ohio, 33 envelopes at Newark, Ohio, and 31 envelopes at Greensboro, N. C.; alleging that the article had been shipped between the approximate dates of May 11 and July 12, 1944, by the Carolina Chemical Co., Charleston, S. C.

Examination disclosed that there were in each envelope a number of pink tablets which contained plant drugs, including the laxative drug aloin, and a number of white or light-colored tablets which contained approximately  $\frac{1}{2}$  grain of thyroid per tablet.

The article was alleged to be misbranded in that, by reason of the content of thyroid, it was dangerous to health when used in the dosage and with the frequency and duration prescribed, recommended, and suggested in its labeling, namely, "Take one Lax Thyroid Tablet at bedtime, if you want to increase dosage you may take one before each meal \* \* \* Lax Thyroid Tablets are intended to be used as a week by week treatment. Do not expect extraordinary results from taking one packing. \* \* \* Loss of weight with Lax Thyroid Tablets does not usually start at once. It may take a few days or even a few weeks to get things started in the right direction \* \* \* It takes a little time to experience the benefits of this treatment."

The article was alleged to be misbranded further (1) in that various portions were accompanied by a circular entitled "Lax Thyroid Tablets," which contained false and misleading representations that the article was a safe and effective remedy for obesity, and that it would produce greater vitality and a general feeling of well-being; and (2) in that portions of the article failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor, an accurate statement of the quantity of the contents, or the common or usual name of each active ingredient and the name and quantity of thyroid contained in the article.

Between August 7 and December 12, 1944, no claimant having appeared, judgments were entered condemning the product and ordering its destruction.

**1404. Misbranding of White's Cream Vermifuge. U. S. v. 32 Dozen Packages of White's Cream Vermifuge. Default decree of condemnation and destruction.** (F. D. C. No. 12747. Sample No. 80008-F.)

On June 23, 1944, the United States attorney for the Western District of Tennessee filed a libel against 32 dozen packages of White's Cream Vermifuge at Memphis, Tenn., alleging that the article had been shipped on or about March 15, 1944, by James F. Ballard, Inc., from St. Louis, Mo.

Analysis of a sample disclosed that the article consisted essentially of oil of Chenopodium 3.1 percent, castor oil, and a small amount of peppermint oil.

The article was alleged to be misbranded in that it was dangerous to health when used in the dosage and with the frequency and duration prescribed, recommended, and suggested in its labeling: (On carton and bottle label) "Dose: Children 3 to 5 years of age, half teaspoonful; \* \* \* One dose morning and night for 2 or 3 days"; and (on circular in carton) "For children 3 to 5 years of age  $\frac{1}{2}$  teaspoonful. \* \* \* The regular dose should be given morning and evening, after meals, for 2 or 3 days." The labeling provided for an amount of oil of Chenopodium that is dangerous to the health of children 3 to 5 years of age.

The article was alleged to be misbranded further in that the following statements in the circular entitled "White's Cream Vermifuge," enclosed in the carton containing the article, were misleading: "There are numerous symptoms that indicate the presence of worms in children. Infestation of Round Worms in a child often affects the child's sleep, appetite, and well-being. At the first recogni-

tion of symptoms of Round Worms, use 'White's Cream Vermifuge'." The statements were misleading since they represented and implied that the symptoms mentioned are characteristic of roundworm infestation, whereas they are not characteristic of roundworm infestation.

On December 13, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1405. Misbranding of Aditis. U. S. v. 13 Bottles of Aditis. Default decree of destruction. (F. D. C. No. 13003. Sample No. 2557-F.)**

On or about July 26, 1944, the United States attorney for the Western District of Missouri filed a libel against 13 bottles, each containing 100 capsules, of Aditis at Kansas City, Mo., alleging that the article had been shipped on or about July 15, 1942, from Masontown, Pa., by Jones-Hague, Inc.

Examination showed that each capsule of the article contained approximately 1 grain of thyroid and  $\frac{1}{10}$  grain of barium iodide.

The article was alleged to be misbranded in that it contained thyroid and barium iodide in amounts which may have rendered it dangerous to health when used in the dosage and with the frequency and duration prescribed, recommended, and suggested in its labeling, namely, "One to three capsules daily."

On October 20, 1944, no claimant having appeared, judgment was entered ordering that the product be destroyed.

**1406. Misbranding of Prostin, Amazine, and Polyvalent P. E. U. S. v. 4 Vials of Prostin, 4 Vials of Amazine, and 3 Vials of Polyvalent P. E. Default decree of condemnation and destruction. (F. D. C. No. 13018. Sample Nos. 53744-F, 53746-F, 53747-F.)**

On July 24, 1944, the United States attorney for the Southern District of California filed a libel against the above-mentioned articles at Los Angeles, Calif., alleging that they had been shipped on or about January 17 and March 29, 1944, from New York, N. Y., by the Lipoidal Laboratories.

The articles were alleged to be misbranded in that they were dangerous to health when used in the dosage and with the frequency and duration prescribed, recommended, and suggested in their labeling, quoted below, since they were for parenteral use and were not sterile but were contaminated with living microorganisms: (Prostin) "Technique for Administration of Prostin. \* \* \* Start with 1 cc. and repeat the dose every second day until all manifestations of prostatic disorders disappear. \* \* \* Use an all glass syringe with a short sharp needle for administration. Sterilize by boiling"; (Amazine and Polyvalent P. E.) "Technique for Administration \* \* \* Place ampoule in hot, not boiling, water, for five minutes. Use an all glass syringe, short sharp needle. Sterilize by boiling. \* \* \* Use deltoid or gluteal areas for intramuscular injections. Give injections at body temperature. \* \* \* Start with 6 minims and increase dose by 4 minims every other day until tolerance, which is indicated by slight rise in temperature followed by chill. Continue treatment until all symptoms disappear (4 to 6 weeks) \* \* \* Dose for infants and children: Start with 2 minims and gradually increase until tolerance."

On August 24, 1944, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

**DRUGS ACTIONABLE BECAUSE OF FAILURE TO BEAR ADEQUATE DIRECTIONS OR WARNING STATEMENTS\***

**1407. Adulteration and misbranding of blue ointment and Cheri Hance Syrup and misbranding of Hance Compressed Tablets of Triple Bromides. U. S. v. Hance Bros. & White Co. Plea of nolo contendere. Fine, \$50. (F. D. C. No. 12575. Sample Nos. 50470-F, 50545-F, 50548-F.)**

On December 20, 1944, the United States attorney for the Eastern District of Pennsylvania filed an information against the Hance Bros. & White Co., a partnership, Philadelphia, Pa., alleging shipment of the above-named products from the State of Pennsylvania into the State of New Jersey between the approximate dates of September 20 and October 6, 1943.

The blue ointment was alleged to be adulterated in that it purported to be and was represented as a drug recognized in the United States Pharmacopoeia, an official compendium, under the names "Blue Ointment" and "Mild Mercurial Ointment," but its strength differed from and its quality fell below the official standard, since that compendium provides that the article shall contain not less than 9 percent of mercury, whereas it contained mercury in amounts varying from

\*See also No. 1402.